PETITION FOR SPECIAL HEARING IN RE: W/S West Liberty Road, 338' NE of the c/l of Harris Mill Road (21304 and 21308 W. Liberty Road)

7th Election District 3rd Councilmanic District

Richard W. Henning, et al Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

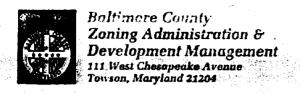
Case No. 93-289-SPH

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by the owners of the subject property, Richard W. Henning and his son, David W. Henning. The Petition, as filed, requests approval to subdivide R.C. 4 zoned land with a gross area of less than 6 acres, into more than two parcels and to create two non-density parcels of less than 1 acre each in an R.C. 2 zone, as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Richard Walter Henning, one of the property owners, and Robert R. Wilson, Registered Land Surveyor. Dorothy D. Cromwell appeared and testified as a Protestant.

Testimony indicated that the subject property, known as 21308 West Liberty Road, consists of 10.78 acres, more or less, split zoned R.C. 4 and R.C. 2, and is improved with a single family dwelling, two accessory sheds, and a graveyard. All existing improvements are located on the R.C. 2 zoned portion of the site which consists of approximately 5.73 acres, more or less. The R.C. 4 zoned portion of the site contains approximately 5.05 acres, more or less, and is unimproved. The Petitioners purchased the subject property in 1990 at which time, David Henning moved into the dwelling thereon. The Petitioners rented the surrounding acreage to a farmer for agricultural purposes, but ceased the farming operation earlier





Account: R-001-6150

Number

Date

3/03/93 H9300300

PUBLIC HEARING FEES QTY FRICE

010 -ZONING VARIANCE (IRL) 1 X \$50.00

080 -POSTING SIGNS / ADVERTISING 1 X \$35.00

TOTAL: \$85.00

LAST NAME OF DWNER: JAGER

01A01#0026MICHRC BA 0002:25PM03-03-93 \$85.00

Please Make Checks Payable To: Baltimore County

Cashler Validation



# CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 15-189-59# Townen, Maryland

District 7th	Date of Posting $3/31/93$
Posted for: Spacial Hearing	
Petitioner: R. Henning & David Henning.	- R. Wilson & Hissory
Posted for: Special Hearing  Petitioner: R. Hearing & David Hearing  Location of property: W/S W/fiborty Rd.,  21304-713064-71306 W. fibory	3381 NE/Horris Mill Pdi
4304- 713064-71306 W. Fibory	RU DAY!
Location of Signe: Facing foadway, O. 71	property of 10/11/10/10
Remarks:	
Posted by Masterly	Date of return: 4/2/93
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#### NOTICE OF ZONING COMMISSIONER'S HEARINGS

The Zoning Commissioner of The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the properties identified herein in Room 106 of the County Office Building, located at 111 W. Chesepeake Avenue in Towson, Maryland 21204 enue in Towson, Meryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

> Case: #93-289-SPH (Item 299) W/S W. Liberty Road, 338 NE of c/l Harris Mill Road Parcel A - 21304 W. Liberty Road

Proposed Lot to W. Liberty Road.
Proposed Lot 2 - 212884 W. Liberty Road.
Proposed Lot 2 - 212884 W. Liberty Road. Proposed Lot 3 - 21306 W. Liberty Road.
7th Election District
3rd Councilmanic Legal Owner(s):
Richard W. Henning and
David W. Henning
Petitioner(s):
Robert R. Wilson & Associates
Hearing: Monday,
April 19, 1993 at 9:00 a.m.
in Rm. 118, Old Courthouse.

Special Hearing to subdivide a R.C.-4 parcel with a gross area of less than 6 acres into more than 2 parcels and to create two non-density parcels less than 1 acre in a R.C.-2 zone.



## CERTIFICATE OF PUBLICATION

TOWSON, MD.,	3)18, 1993
THIS IS TO CERTIFY, that th	ne annexed advertisement was
published in THE JEFFERSONIAN,	a weekly newspaper published
in Towson, Baltimore County, Md., oweeks, the first publication appearing	once in each of $\frac{1}{3}$ successive $\frac{3}{18}$ , $\frac{9}{3}$
THE	JEFFERSONIAN,
5. Zefe	Orlan
	Publisher

\$ +12.88 \$ 72.63

BALTIMORE COUP OFFICE OF FINANCE MISCELLANEOUS	- REVENUE DIVISION		No.	
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FOR: 080	93-289-51	( ) <del>//</del>	14/2	4/12/23



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

DATE: 3/27 93

Robert R. Wilson 2841 Churchville Road Churchville, Maryland 21028

RE: CASE NUMBER: 93-289-SPH (Item 299)

W/S W. Liberty Road, 338' NE of c/l Harris Mill Road

Parcel A - 21304 W. Liberty Road - Proposed Lot 1 - 21308 W. Liberty Road

Proposed Lot 2 - 21306A W. Liberty Road - Proposed Lot 3 - 21306 W. Liberty Road

7th Election District - 3rd Councilmanic

Legal Owner(s): Richard W. Henning and David W. Henning

Petitioner(s): Robert R. Wilson & Associates

HEARING: MONDAY, APRIL 19, 1993 at 9:00 a.m. in Rm. 118, 0ld Courthouse.

Dear Petitioner(s):

Please be advised that \$ 72.63 is due for advertising and posting of the above captioned property and hearing date.

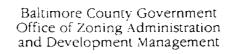
THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Forward your check for the above fee via return mail to the Zoning Office, (ZADM), County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Please write the case number and hearing date on the check and make same payable to Baltimore County, Maryland. To avoid delay of the Zoning Commissioner's Order in your case, immediate attention to this matter is suggested.

ARNOLD JABLON DIRECTOR



Printed on Recycled Paper





111 West Chesapeake Avenue Towson, MD 21204

MAR. 1 1 1893

(410) 887-3353

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-289-SPH (Item 299)

W/S W. Liberty Road, 338' NE of c/l Harris Mill Road

Parcel A - 21304 W. Liberty Road

Proposed Lot 1 - 21308 W. Liberty Road Proposed Lot 2 - 21306A W. Liberty Road Proposed Lot 3 - 21306 W. Liberty Road

7th Election District - 3rd Councilmanic

Legal Owner(s): Richard W. Henning and David W. Henning

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Special Hearing to subdivide a R.C.-4 parcel with a gross area of less than 6 acres into more than 2 parcels and to create two non-density parcels less than 1 acre in a R.C.-2 zone.

Arnold Jablon Director

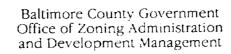
cc: Richard and David Henning

Robert R. Wilson

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.



Printed on Recycled Paper





111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

April 14, 1993

Mr. Richard W. Henning Mr. David W. Henning 21308 West Liberty Road Parkton, MD 21120

RE: Case No. 93-289-SPH, Item No. 299
Petitioner: Richard W. Henning and
David W. Henning
Petition for Special Hearing

Dear Messrs. Henning:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on March 3, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



Zoning Plans Advisory Committee Comments

Date: April 16, 1993

Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours

W. Carl Richards, Jr. Zoning Coordinator

WCR:hek

Enclosures

cc: Mr. Robert Wilson 2841 Churchville Road Churchville, MD 21028



O. James Lighthizer Secretary Hal Kassoff Administrator

3-11-9**9** 

Ms. Julie Winiarski Zoning Administration and Development Management County Office Building **Room 109** 111 W. Chesapeake Avenue Towson, Maryland 21204

Baltimore County
Item No.: + 299 (CAM) Re:

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, Bob Small

John Contestabile, Chief Engineering Access Permits

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: March 24, 1993

Zoning Administration and Development Management

FROM: Pat Keller, Deputy Director

Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 299, 305, 307, 309 and 310.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL:1w

à

this year. The Petitioners are now desirous of subdividing the property to create four parcels consisting of three lots and a non-density parcel as more particularly described on Petitioner's Exhibit 1. Proposed Lot 1, which is zoned R.C. 2 in its entirety, would consist of 2.98 acres, more or less, and contain the existing improvements known as 21308 West Liberty Proposed Lots 2 and 3 would consist of approximately 2.67 and 3.55 Road. acres, respectively, and would be known as 21306-A and 21306 West Liberty Road. Each lot is proposed for development with a single family dwell-Due to the irregular lot line which traverses proposed Lots 2 and 3, ing. both lots will be split zoned R.C. 2 and R.C. 4. The R.C. 2 zoned portion of Lot 2 would contain 1.88 acres and all of the proposed improvements The R.C. 4 zoned portion of Lot 2, which would contain 0.79 thereon. acres, more or less, would be considered a non-density parcel of land for That is, this 0.79 acre non-density parcel will have no zoning purposes. improvements placed thereon and shall be used for agricultural purposes The R.C. 4 zoned portion of Lot 3, consisting of approximately 3.24 only. acres, more or less, will contain all of the proposed improvements there-The remaining .31 acres, zoned R.C. 2, will remain as non-density on. acreage, but for a small portion located in the northeast corner of said lot, consisting of approximately 0.13 acres, more or less, which is proposed to be used to provide a panhandle driveway for Lot 3. parcel, identified as Parcel A on Petitioner's Exhibit 1, would contain approximately 1.47 acres and the old graveyard. This 1.47 acre parcel is proposed to be conveyed as a non-density transfer to Mr. & Mrs. Norman W. Anderson, Jr., who reside immediately adjacent to the subject property at 21304 West Liberty Road. Testimony indicated that the Andersons have no rear yard and merely wish to acquire this land to provide additional space

#### BALTIMORE COUNTY, MARYLAND

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

#### INTER-OFFICE CORRESPONDENCE

T0:

Mr. Arnold Jablon, Director

DATE:

March 25, 1993

Zoning Administration and Development Management

FROM:

J. Lawrence Pilson

Development Coordinator, DEPRM

SUBJECT: Zoning Item #299

Henning Property

Zoning Advisory Committee Meeting of March 15, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

The proposed subdivision will require that a Forest Buffer Easement be provided. This will require an approved wetland delineation and a steep slope analysis. This development must comply with the Forest Conservation Act. Both of these items may impact the location of the proposed houses and septic systems.

Soil percolation tests have been completed on proposed Lots 1, 2 and 3.

General comments for subdivision process with well and septic apply.

If 21304 W. Liberty Road DEED 6421/814 is part of the subdivision, provisions will have to be made to provide a suitable area for expansion/replacement of septic system.

JLP:rmp

HENNING/DCRMP

#### Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

MARCE 24, 1993

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: RICHARD W. HENNING AND DAVID W. HENNING

Location:

#21308 WEST LIBERTY ROAD

Item No.: + 299 (CAM) Zoning Agenda: MARCH 15, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

t Arra Pailon Approved

Planning Group Fire Prevention Bureau

Special Inspection Division

JP/KEKH





ZONING COMMISSIONER

2841 Churchville Road Churchville, Maryland 21028 (410) 879-5505

9, 1993

Mr. Timothy M. Kotroco Deputy Zoning Commissioner Suite 113 Courthouse 400 Washington Avenue Towson, Maryland 21204

Re: Zoning Case #93-289-8PH; Land of Richard W. Henning, et al

Dear Mr. Kotroco,

In response to your request, I am writing to you for an extension of the deadline of July 25, 1993 as stated on page 6 in your letter dated May 25, 1993 rendering your decision in the above captioned matter.

Our firm is in the process of co-ordinating the subdivision approval with the concerned Baltimore County Agencies and will complete the project as timely and efficiently as possible.

We feel an extension of 120 days or until November 25, 1993 would allow sufficient time to record the subdivision plat.

would allow sufficient time to record the subdivision plat.

Should you have any questions, please give me a call at

(410) 879-5505.

Thank you,

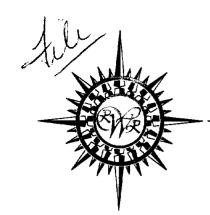
Robert R. Wilson

President

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cc: file

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# Robert R. Wilson & Associates, Inc.

LAND SURVEYORS

2841 Churchville Road Churchville, Maryland 21028 (410) 879-5505

November 29, 1993

Mr. Timothy M. Kotroco Deputy Zoning Commissioner Suite 113 Courthouse 400 Washington Avenue Towson, Maryland 21204

Re: Zoning Case #93-289-SPH; Land of Richard W. Henning, et al

Dear Mr. Kotroco,

In response to your request, I am writing to you for an extension of the deadline of November 25, 1993.

Our firm is in the process of co-ordinating the subdivision approval with the concerned Baltimore County Agencies and will complete the project as timely and efficiently as possible.

We feel an extension of 90 days or until February 25, 1994 would allow sufficient time to record the subdivision plat.

Should you have any questions, please give me a call at (410) 879-5505.

Thank you,

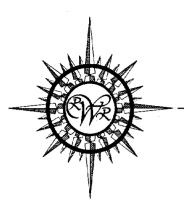
Robert R. Wilson

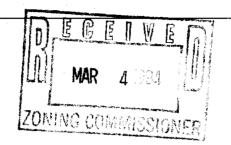
President

cc: file



Lile





# Robert R. Wilson & Associates, Inc.

P.O. Box 833 2408 Rocks Road Forest Hill, MD 21050

Phone (410) 893-3700 Fax (410) 836-5375

February 23, 1994

Mr. Timothy M. Kotroco Deputy Zoning Commissioner Suite 113 Courthouse 400 Washington Avenue Towson, Maryland 21204

Re: Zoning Case #93-289-SPH; Land of Richard W. Henning, et al

Dear Mr. Kotroco,

In response to your request, I am writing to you for an extension of the deadline to record the minor subdivision plat for the above noted project.

Our firm is in the process of co-ordinating the subdivision approval with the concerned Baltimore County Agencies and will complete the project as timely and efficiently as possible.

We feel an extension until June 30, 1994 would allow sufficient time to record the subdivision plat.

Should you have any questions, please give me a call at (410) 893-3700.

Your co-operation in this matter is greatly appreciated.

Thanyk you,

Robert R. Wilson

President

cc: file

Grantel 1 3/4/04

10: MJK 10: 13/44 UCR 8 at cashin

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555 Facsimile: (410) 527-1563

October 11, 1994

Mr. Arnold Jablon, Director Office of Zoning Administration and Development Management Baltimore County Courts Office 401 Bosley Avenue Towson, Maryland 21204

Re: 0.5 Acres; Located North Side of West Liberty and Harris Mill Roads D-7; TA #07-16-60055

Dear Mr. Jablon:

We are writing to request an opinion from your office regarding the above listed property. Currently, we are representing the owner of the property who wishes to develop the lot for a single family dwelling. The property is constricted by spatial setback requirements from existing septic systems, property lines, and floodplains to the proposed dwelling, well, and septic areas.

Our client has contacted the adjacent land owner to the north and has made arrangements to purchase "Parcel A" of the Gorsuch Hills subdivision to utilize it for placement of the well to support a dwelling on his lot.

The Gorsuch Hills subdivision was previously the subject of Special Hearing Case #93-289-SPH which designated "Parcel A" as a non-density parcel. We therefore would request an opinion from your office regarding the utilization of "Parcel A" to support a well site for a dwelling on our client's property, and any implications the Zoning Hearing would have on that use.

We also are requesting an opinion on property line setback requirements for the dwelling on this lot. The lot was previously improved by a general store and a mill, of which one's foundation remains along the property lines on West Liberty Road and the property of Norman and Robyn Anderson. Current setback regulations, if enforced, would render the site unbuildable without a variance. The property has been held intact since 1958 and may possibly be subject to previous property line setbacks.

Letter to Mr. Arnold Jablon

Re: 0.5 Acres; Located North Side of

West Liberty and Harris Mill Roads

D-7; TA #07-16-60055

October 11, 1994 Page Two

We have enclosed the following for your review, a current tax map, an approved Minor Subdivision Plat of Gorsuch Hills, a copy of the Special hearing Order for Case #93-289-SPH, topography showing the existing conditions found on-site, the original deed dated 1958 which created the lot, and the required \$40.00 fee. We have also enclosed a copy of an article from a February, 1953 Baltimore Sun Magazine documenting the previous structures existence.

We appreciate your consideration in matter and look forward to hearing from you in the near future.

Very truly yours,

McKEE & ASSOCIATES, INC.

Guy C. Ward, R.S.

GCW:ajw Enclosures



In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.

October 18, 1994

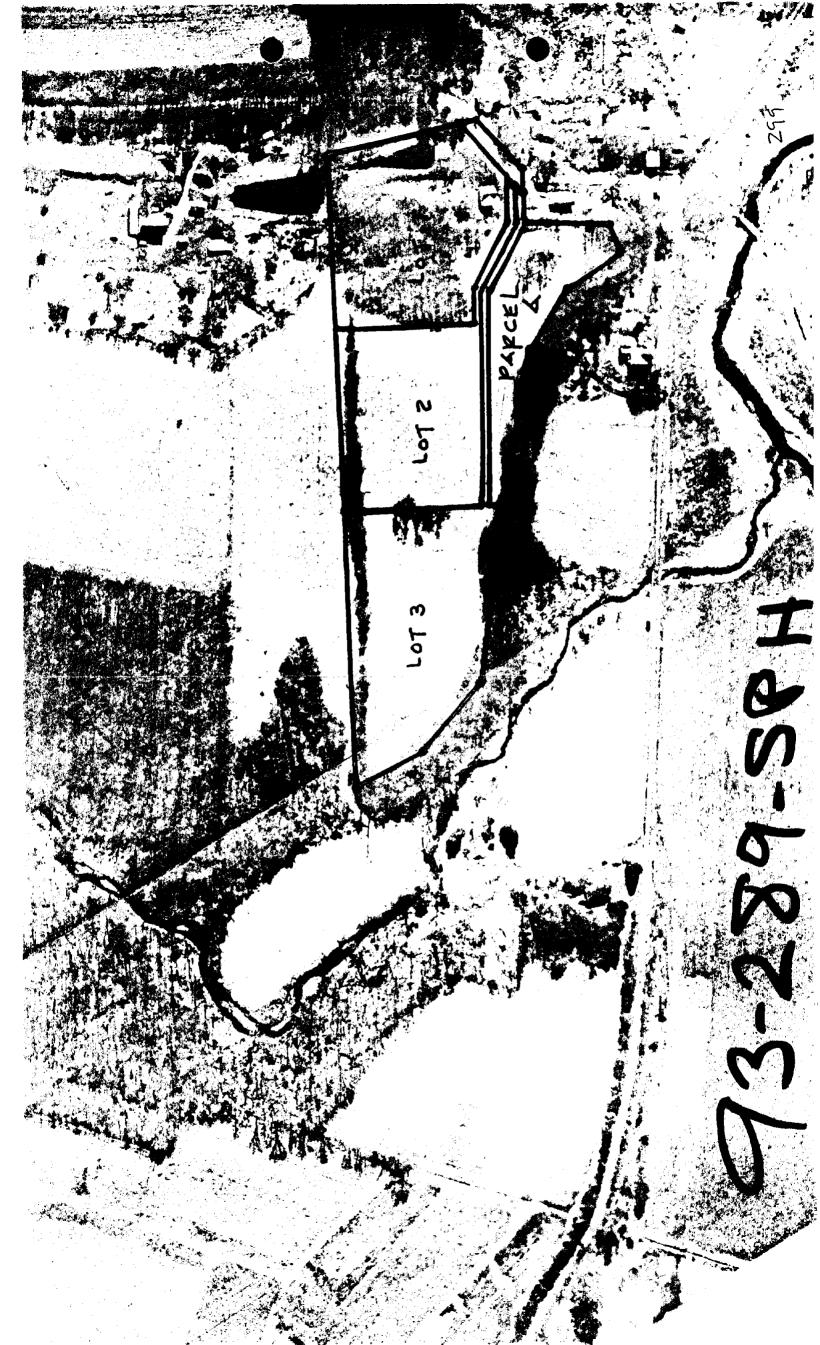
Dear Mr. Ward:

Please be advised that your proposal would require a special hearing to amend zoning case #93-289-SPH since the function of "Parcel A" will be different from what the hearing granted. Secondly, a variance will be required since the proposed building is being established from commercial to residential use with nonconforming setbacks.

Mitchell J. Kellman

Planner II

- N	BALTIMOR DEPARTMENT OF PERM	TION FOR PERMIT E COUNTY MARYLAND	DATE:	1/10/98
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PETITION FOR SPECIAL HEARING IN RE: W/S West Liberty Road, 338' NE of the c/l of Harris Mill Road (21304 and 21308 W. Liberty Road)

7th Election District 3rd Councilmanic District

Richard W. Henning, et al Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 93-289-SPH

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by the owners of the subject property, Richard W. Henning and his son, David W. Henning. The Petition, as filed, requests approval to subdivide R.C. 4 zoned land with a gross area of less than 6 acres, into more than two parcels and to create two non-density parcels of less than 1 acre each in an R.C. 2 zone, as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Richard Walter Henning, one of the property owners, and Robert R. Wilson, Registered Land Surveyor. Dorothy D. Cromwell appeared and testified as a Protestant.

Testimony indicated that the subject property, known as 21308 West Liberty Road, consists of 10.78 acres, more or less, split zoned R.C. 4 and R.C. 2, and is improved with a single family dwelling, two accessory sheds, and a graveyard. All existing improvements are located on the R.C. 2 zoned portion of the site which consists of approximately 5.73 acres, more or less. The R.C. 4 zoned portion of the site contains approximately 5.05 acres, more or less, and is unimproved. The Petitioners purchased the subject property in 1990 at which time, David Henning moved into the dwelling thereon. The Petitioners rented the surrounding acreage to a farmer for agricultural purposes, but ceased the farming operation earlier

ORDER RECEIVED FOR FILING
Date
By

to the rear of their property. It was made clear that the transfer of proposed Parcel A to the Andersons would be for non-density purposes.

Appearing and testifying out of concern over the proposed subdivision was Dorothy Cromwell. Ms. Cromwell resides across from the subject site on Harris Mill Road. Ms. Cromwell testified that there currently exists a water runoff and flooding problem from streams in the area. She is concerned that the proposed subdivision for development of two additional dwellings might exacerbate the water runoff problem she currently experiences.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. Further, I could not find that the proposed improvements would significantly add to the current water runoff problem in the area or adversely effect the public health, safety, or general welfare of the surrounding community.

Therefore, the proposed subdivision of the subject property as set forth on Petitioner's Exhibit 1 shall be approved in accordance with the following: There shall be no further subdivision of new Lot 1, which shall consist of 2.98 acres and the existing dwelling, known as 21308 West Liberty Road. A new deed for proposed Lot 1 shall be recorded in the Land Records of Baltimore County which references this case and the terms and conditions contained herein. Proposed Lot 2, which shall contain 2.67 acres, split zoned R.C. 2 and R.C. 4, shall enjoy one density unit for purposes of developing the property with a single family dwelling on the

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this year. The Petitioners are now desirous of subdividing the property to create four parcels consisting of three lots and a non-density parcel as more particularly described on Petitioner's Exhibit 1. Proposed Lot 1, which is zoned R.C. 2 in its entirety, would consist of 2.98 acres, more or less, and contain the existing improvements known as 21308 West Liberty Proposed Lots 2 and 3 would consist of approximately 2.67 and 3.55 Road. acres, respectively, and would be known as 21306-A and 21306 West Liberty Road. Each lot is proposed for development with a single family dwell-Due to the irregular lot line which traverses proposed Lots 2 and 3, ing. both lots will be split zoned R.C. 2 and R.C. 4. The R.C. 2 zoned portion of Lot 2 would contain 1.88 acres and all of the proposed improvements The R.C. 4 zoned portion of Lot 2, which would contain 0.79 thereon. acres, more or less, would be considered a non-density parcel of land for That is, this 0.79 acre non-density parcel will have no zoning purposes. improvements placed thereon and shall be used for agricultural purposes The R.C. 4 zoned portion of Lot 3, consisting of approximately 3.24 only. acres, more or less, will contain all of the proposed improvements there-The remaining .31 acres, zoned R.C. 2, will remain as non-density on. acreage, but for a small portion located in the northeast corner of said lot, consisting of approximately 0.13 acres, more or less, which is proposed to be used to provide a panhandle driveway for Lot 3. parcel, identified as Parcel A on Petitioner's Exhibit 1, would contain approximately 1.47 acres and the old graveyard. This 1.47 acre parcel is proposed to be conveyed as a non-density transfer to Mr. & Mrs. Norman W. Anderson, Jr., who reside immediately adjacent to the subject property at 21304 West Liberty Road. Testimony indicated that the Andersons have no rear yard and merely wish to acquire this land to provide additional space

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By

to the rear of their property. It was made clear that the transfer of proposed Parcel A to the Andersons would be for non-density purposes.

Appearing and testifying out of concern over the proposed subdivision was Dorothy Cromwell. Ms. Cromwell resides across from the subject site on Harris Mill Road. Ms. Cromwell testified that there currently exists a water runoff and flooding problem from streams in the area. She is concerned that the proposed subdivision for development of two additional dwellings might exacerbate the water runoff problem she currently experiences.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. Further, I could not find that the proposed improvements would significantly add to the current water runoff problem in the area or adversely effect the public health, safety, or general welfare of the surrounding community.

Therefore, the proposed subdivision of the subject property as set forth on Petitioner's Exhibit 1 shall be approved in accordance with the following: There shall be no further subdivision of new Lot 1, which shall consist of 2.98 acres and the existing dwelling, known as 21308 West Liberty Road. A new deed for proposed Lot 1 shall be recorded in the Land Records of Baltimore County which references this case and the terms and conditions contained herein. Proposed Lot 2, which shall contain 2.67 acres, split zoned R.C. 2 and R.C. 4, shall enjoy one density unit for purposes of developing the property with a single family dwelling on the

R.C. 2 zoned portion of the site. The R.C. 4 zoned portion of Lot 2, which consists of approximately 0.79 acres, more or less, shall be used for non-density purposes only. There shall be no improvements located on this portion of the site. In addition, there shall be no further subdivision of Lot 2 and a new deed for Lot 2 which references this case and the terms and conditions contained herein shall be recorded in the Land Records of Baltimore County. Proposed Lot 3, which consists of 3.24 acres zoned R.C. 4 and 0.31 acres zoned R.C. 4, shall also enjoy one density unit for purposes of developing the property with a single family dwelling on the R.C. 4 zoned portion of the site. The R.C. 2 zoned land will be used for non-density purposes, but for a small portion located in the northeast corner of said lot containing approximately 0.13 acres which is proposed to be used to provide panhandle driveway access to Lot 3. 0.13 acres of R.C. 2 zoned land shall be used to provide the subject panhandle driveway only and shall not be used to calculate density in any There shall be no further subdivision of Lot 3 and a new deed for manner. Lot 3 which references this case and the terms and conditions contained herein shall be recorded in the Land Records of Baltimore County. Finally, proposed Parcel A, which contains approximately 1.03 acres zoned R.C. 4 and 0.44 acres zoned R.C. 2, shall be transferred to the Andersons for non-density purposes. As previously stated, the Andersons are desirous of acquiring Parcel A to provide additional land to the rear of their property. There shall be no further subdivision of this lot and the Petitioners shall record a new deed for Parcel A in the Land Records of Baltimore County which references this case and the terms and conditions set forth herein.

ORDER RECEIVED FOR FILING
Date
By

Notwithstanding the relief granted above, the following terms and conditions must be met as to the old graveyard on Parcel A. The Andersons shall at all times permit access to the graveyard for visitation purposes by those individuals who have friends or relatives buried on the site. Further, the Andersons shall be required to maintain the grounds within the subject graveyard in good condition. The Petitioners shall file a revised site plan with a note contained thereon which clearly states that neither the Andersons, their heirs, successors or assigns, shall restrict access to this graveyard for legitimate purposes. Furthermore, the deed transferring this non-density parcel to the Andersons shall specifically reference the fact that the Andersons, their heirs, successors, or assigns must at all times permit access to the subject graveyard.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25 day of May, 1993 that the Petition for Special Hearing to approve a subdivision of the subject property, split zoned R.C. 2 and R.C. 4 and with a gross area of less than 6 acres, into four parcels and to create two parcels of less than 1 acre each in an R.C. 2 zone for non-density purposes, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- The Petitioners shall submit a revised site plan incorporating the terms and conditions of the relief

#### Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

May 25, 1993

Messrs. Richard W. Henning and David W. Henning 21308 West Liberty Road Parkton, Maryland 21120

RE: PETITION FOR SPECIAL HEARING

W/S West Liberty Road, 338' NE of the c/l of Harris Mill Road (21304, 21306, 21306-A and 21308 W. Liberty Road)
7th Election District - 3rd Councilmanic District
Richard W. Henning, et al -Petitioners
Case No. 93-289-SPH

Dear Messrs. Henning:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: Mr. Robert R. Wilson
2341 Churchville Road, Churchville, Md. 21028

Ms. Dorothy D. Cromwell 2512 Harris Mill Road, Parkton, Md. 21120

People's Counsel

File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore C	County
The undersigned, legal owner(s) of the property s described in the description and plat attached hereto and Special Hearing under Section 500.7 of the Baltimore Cou ther or not the Zoning Commissioner and/or Deputy Zon To subdivide a RC-4 parcel with a	d made a part hereof, hereby petition for a inty Zoning Regulations, to determine when hing Commissioner should approve
6 acres into more than 2 parcels	and to create two
non-density parcels less than 1 ac	cre in RC-2 zone
Property is to be posted and advertised as prescr I, or we, agree to pay expenses of the above Special ling of this Petition, and further agree to and are to be building of Baltimore County adopted pursuant to the Zoning	Hearing advertising, posting, etc., upon fil-
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:	Legal Owner(s):
	Richard W. Henning
(Type or Print Name)	(Type or Print Name)
**********	Richard W/Lein Mit
Signature	Signature
	David W. Henning
Address	(Type or Print Name)
	Main Genning 14
City and State	Signature
Attorney for Petitioner:	
	21308 West Liberty Road
(Type or Print Name)	Address Phone No.
	Parkton, Md. 21120
Signature	City and State
	Name, address and phone number of legal owner, con-
Address	tract purchaser or representative to be contacted
	Robert R. Wilson
City and State	Name
Attorney's Telephone No.:	2841 Churchville Road 879-5505
	Address Phone No.
	churchville, Md. 21028 OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING -1/2HR. +1HR
	* * * * AVAILABLE FOR HEARING

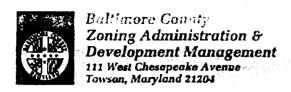
# ZONING DESCRIPTION FOR 21304 WEST LIBERTY ROAD

Beginning at a point on or near the centerline of West Liberty Road which is sixty (60') wide at the distance of 338 feet northeast of the centerline of the nearest improved intersecting street, Harris Mill Road, which is sixty (60') wide. Being all of that parcel of land which by a deed dated August 4, 1982 and recorded among the Land Records of Baltimore County in Liber No. 6421 folio 814 was granted and conveyed by Albert B. Little and Shirley J. Little, his wife, to Norman W. Anderson and Robyn G. Anderson, his wife, and running thence;

- 1) North 55 degrees 43 minutes 45 seconds West, 108.00 feet;
- 2) South 38 degrees 02 minutes 46 seconds West, 127.50 feet:
- South 55 degrees 38 minutes 45 seconds East, 93.35 feet;
- 4) North 44 degrees 31 minutes 43 seconds East, 129.43 feet to the point of beginning.

CONTAINING 0.29 ACRES OF LAND, MORE OR LESS. Also Known as 21304 West Liberty Road and located in the Seventh Election District.





Date

73-287-5PH [COE][pt]

Account: R-001-6150

Number

3/03/93

H9300297

PUBLIC HEARING FEES

0.77

PRICE

040 -SPECIAL HEARING (OTHER)

2250.00

TOTAL: \$250,00

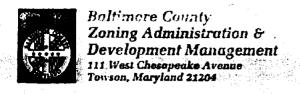
LAST MAME OF OWNER: HEHNING

03A03#0193MICHRC

\$250.00

Please Make Checks Payable To: Baltimore County

Cashler Validation





Account: R-001-6150

Number

Date

3/03/93 H9300300

PUBLIC HEARING FEES OTY FRICE

010 -ZONING VARIANCE (IRL) 1 X \$50.00

080 -POSTING SIGNS / ADVERTISING 1 X \$35.00

TOTAL: \$85.00

LAST NAME OF OWNER: JAGER

01A01#0026MICHRC BA 0002:25PM03-03-93 \$85.00

Please Make Checks Payable To: Baltimore County

Cashler Validation



# CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 15-189-59# Townen, Maryland

District 7th	Date of Posting $3/31/93$
Posted for: Spacial Hearing	
Petitioner: R. Henning & David Henning.	- R. Wilson & Hissory
Posted for: Special Hearing  Petitioner: R. Hearing & David Hearing  Location of property: W/S W/fiborty Rd.,  21304-713064-71306 W. fibory	3381 NE/Horris Mill Pdi
4304- 713064-71306 W. Fibory	RU DAY!
Location of Signe: Facing foadway, O. 71	property of 10/11/10/10
Remarks:	
Posted by Masterly	Date of return: 4/2/93
wher of Signa:	,

R.C. 2 zoned portion of the site. The R.C. 4 zoned portion of Lot 2, which consists of approximately 0.79 acres, more or less, shall be used for non-density purposes only. There shall be no improvements located on this portion of the site. In addition, there shall be no further subdivision of Lot 2 and a new deed for Lot 2 which references this case and the terms and conditions contained herein shall be recorded in the Land Records of Baltimore County. Proposed Lot 3, which consists of 3.24 acres zoned R.C. 4 and 0.31 acres zoned R.C. 4, shall also enjoy one density unit for purposes of developing the property with a single family dwelling on the R.C. 4 zoned portion of the site. The R.C. 2 zoned land will be used for non-density purposes, but for a small portion located in the northeast corner of said lot containing approximately 0.13 acres which is proposed to be used to provide panhandle driveway access to Lot 3. 0.13 acres of R.C. 2 zoned land shall be used to provide the subject panhandle driveway only and shall not be used to calculate density in any There shall be no further subdivision of Lot 3 and a new deed for manner. Lot 3 which references this case and the terms and conditions contained herein shall be recorded in the Land Records of Baltimore County. Finally, proposed Parcel A, which contains approximately 1.03 acres zoned R.C. 4 and 0.44 acres zoned R.C. 2, shall be transferred to the Andersons for non-density purposes. As previously stated, the Andersons are desirous of acquiring Parcel A to provide additional land to the rear of their property. There shall be no further subdivision of this lot and the Petitioners shall record a new deed for Parcel A in the Land Records of Baltimore County which references this case and the terms and conditions set forth herein.

#### NOTICE OF ZONING COMMISSIONER'S HEARINGS

The Zoning Commissioner of The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the properties identified herein in Room 106 of the County Office Building, located at 111 W. Chesepeake Avenue in Towson, Maryland 21204 enue in Towson, Meryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

> Case: #93-289-SPH (Item 299) W/S W. Liberty Road, 338 NE of c/l Harris Mill Road Parcel A - 21304 W. Liberty Road

Proposed Lot to W. Liberty Road.
Proposed Lot 2 - 212884 W. Liberty Road.
Proposed Lot 2 - 212884 W. Liberty Road. Proposed Lot 3 - 21306 W. Liberty Road.
7th Election District
3rd Councilmanic Legal Owner(s):
Richard W. Henning and
David W. Henning
Petitioner(s):
Robert R. Wilson & Associates
Hearing: Monday,
April 19, 1993 at 9:00 a.m.
in Rm. 118, Old Courthouse.

Special Hearing to subdivide a R.C.-4 parcel with a gross area of less than 6 acres into more than 2 parcels and to create two non-density parcels less than 1 acre in a R.C.-2 zone.



## CERTIFICATE OF PUBLICATION

TOWSON, MD.,	3/18, 1993
THIS IS TO CERTIFY, that the	ne annexed advertisement was
published in THE JEFFERSONIAN,	a weekly newspaper published
in Towson, Baltimore County, Md., oweeks, the first publication appearing	once in each of successive ng on3 18 . 19 93
THE	JEFFERSONIAN,
5. Zefe	Olan
	Publisher

\$ +12.88 \$ 72.63

	NTY, MARYLAND E-REVENUE DIVISION CASH RECEIPT		No.
0	1913_ACCOUNT	1/6	9-61
, ,	AMOUN	<b>. . .</b>	er i
RECEIVED RU	Herrie		
P+ A FOR: 080	93-289-8	14 <u>,</u> 1	15 4/12/23



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

DATE: 3/27 93

Robert R. Wilson 2841 Churchville Road Churchville, Maryland 21028

RE: CASE NUMBER: 93-289-SPH (Item 299)

W/S W. Liberty Road, 338' NE of c/l Harris Mill Road

Parcel A - 21304 W. Liberty Road - Proposed Lot 1 - 21308 W. Liberty Road

Proposed Lot 2 - 21306A W. Liberty Road - Proposed Lot 3 - 21306 W. Liberty Road

7th Election District - 3rd Councilmanic

Legal Owner(s): Richard W. Henning and David W. Henning

Petitioner(s): Robert R. Wilson & Associates

HEARING: MONDAY, APRIL 19, 1993 at 9:00 a.m. in Rm. 118, 0ld Courthouse.

Dear Petitioner(s):

Please be advised that \$ 72.63 is due for advertising and posting of the above captioned property and hearing date.

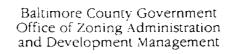
THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Forward your check for the above fee via return mail to the Zoning Office, (ZADM), County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Please write the case number and hearing date on the check and make same payable to Baltimore County, Maryland. To avoid delay of the Zoning Commissioner's Order in your case, immediate attention to this matter is suggested.

ARNOLD JABLON DIRECTOR



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111 West Chesapeake Avenue Towson, MD 21204

MAR. 1 1 1893

(410) 887-3353

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-289-SPH (Item 299)

W/S W. Liberty Road, 338' NE of c/l Harris Mill Road

Parcel A - 21304 W. Liberty Road

Proposed Lot 1 - 21308 W. Liberty Road Proposed Lot 2 - 21306A W. Liberty Road Proposed Lot 3 - 21306 W. Liberty Road

7th Election District - 3rd Councilmanic

Legal Owner(s): Richard W. Henning and David W. Henning

Petitioner(s): Robert R. Wilson & Associates

HEARING: MONDAY, APRIL 19, 1993 at 9:00 a.m. in Rm. 118, 0ld Courthouse.

Special Hearing to subdivide a R.C.-4 parcel with a gross area of less than 6 acres into more than 2 parcels and to create two non-density parcels less than 1 acre in a R.C.-2 zone.

Arnold Jablon Director

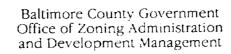
cc: Richard and David Henning

Robert R. Wilson

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.



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111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

April 14, 1993

Mr. Richard W. Henning Mr. David W. Henning 21308 West Liberty Road Parkton, MD 21120

RE: Case No. 93-289-SPH, Item No. 299
Petitioner: Richard W. Henning and
David W. Henning
Petition for Special Hearing

Dear Messrs. Henning:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on March 3, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



Zoning Plans Advisory Committee Comments

Date: April 16, 1993

Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours

W. Carl Richards, Jr. Zoning Coordinator

WCR:hek

Enclosures

cc: Mr. Robert Wilson 2841 Churchville Road Churchville, MD 21028



O. James Lighthizer Secretary Hal Kassoff Administrator

3-11-9**9** 

Ms. Julie Winiarski Zoning Administration and Development Management County Office Building **Room 109** 111 W. Chesapeake Avenue Towson, Maryland 21204

Baltimore County
Item No.: + 299 (CAM) Re:

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, Bob Small

John Contestabile, Chief Engineering Access Permits

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: March 24, 1993

Zoning Administration and Development Management

FROM: Pat Keller, Deputy Director

Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 299, 305, 307, 309 and 310.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL:1w

#### BALTIMORE COUNTY, MARYLAND

## DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

#### INTER-OFFICE CORRESPONDENCE

T0:

Mr. Arnold Jablon, Director

DATE:

March 25, 1993

Zoning Administration and Development Management

FROM:

J. Lawrence Pilson

Development Coordinator, DEPRM

SUBJECT: Zoning Item #299

Henning Property

Zoning Advisory Committee Meeting of March 15, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

The proposed subdivision will require that a Forest Buffer Easement be provided. This will require an approved wetland delineation and a steep slope analysis. This development must comply with the Forest Conservation Act. Both of these items may impact the location of the proposed houses and septic systems.

Soil percolation tests have been completed on proposed Lots 1, 2 and 3.

General comments for subdivision process with well and septic apply.

If 21304 W. Liberty Road DEED 6421/814 is part of the subdivision, provisions will have to be made to provide a suitable area for expansion/replacement of septic system.

JLP:rmp

HENNING/DCRMP

### Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

MARCE 24, 1993

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: RICHARD W. HENNING AND DAVID W. HENNING

Location:

#21308 WEST LIBERTY ROAD

Item No.: + 299 (CAM) Zoning Agenda: MARCH 15, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

t Arra Pailon Approved

Planning Group Fire Prevention Bureau

Special Inspection Division

JP/KEKH

ORDER RECEIVED FOR FILING
Date
By

Notwithstanding the relief granted above, the following terms and conditions must be met as to the old graveyard on Parcel A. The Andersons shall at all times permit access to the graveyard for visitation purposes by those individuals who have friends or relatives buried on the site. Further, the Andersons shall be required to maintain the grounds within the subject graveyard in good condition. The Petitioners shall file a revised site plan with a note contained thereon which clearly states that neither the Andersons, their heirs, successors or assigns, shall restrict access to this graveyard for legitimate purposes. Furthermore, the deed transferring this non-density parcel to the Andersons shall specifically reference the fact that the Andersons, their heirs, successors, or assigns must at all times permit access to the subject graveyard.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25 day of May, 1993 that the Petition for Special Hearing to approve a subdivision of the subject property, split zoned R.C. 2 and R.C. 4 and with a gross area of less than 6 acres, into four parcels and to create two parcels of less than 1 acre each in an R.C. 2 zone for non-density purposes, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- The Petitioners shall submit a revised site plan incorporating the terms and conditions of the relief





ZONING COMMISSIONER

2841 Churchville Road Churchville, Maryland 21028 (410) 879-5505

9, 1993

Mr. Timothy M. Kotroco Deputy Zoning Commissioner Suite 113 Courthouse 400 Washington Avenue Towson, Maryland 21204

Re: Zoning Case #93-289-8PH; Land of Richard W. Henning, et al

Dear Mr. Kotroco,

In response to your request, I am writing to you for an extension of the deadline of July 25, 1993 as stated on page 6 in your letter dated May 25, 1993 rendering your decision in the above captioned matter.

Our firm is in the process of co-ordinating the subdivision approval with the concerned Baltimore County Agencies and will complete the project as timely and efficiently as possible.

We feel an extension of 120 days or until November 25, 1993 would allow sufficient time to record the subdivision plat.

would allow sufficient time to record the subdivision plat.

Should you have any questions, please give me a call at

(410) 879-5505.

Thank you,

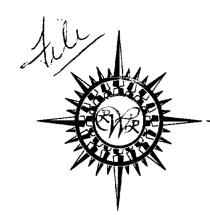
Robert R. Wilson

President

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cc: file

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# Robert R. Wilson & Associates, Inc.

LAND SURVEYORS

2841 Churchville Road Churchville, Maryland 21028 (410) 879-5505

November 29, 1993

Mr. Timothy M. Kotroco Deputy Zoning Commissioner Suite 113 Courthouse 400 Washington Avenue Towson, Maryland 21204

Re: Zoning Case #93-289-SPH; Land of Richard W. Henning, et al

Dear Mr. Kotroco,

In response to your request, I am writing to you for an extension of the deadline of November 25, 1993.

Our firm is in the process of co-ordinating the subdivision approval with the concerned Baltimore County Agencies and will complete the project as timely and efficiently as possible.

We feel an extension of 90 days or until February 25, 1994 would allow sufficient time to record the subdivision plat.

Should you have any questions, please give me a call at (410) 879-5505.

Thank you

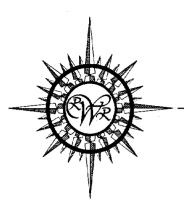
Robert R. Wilson

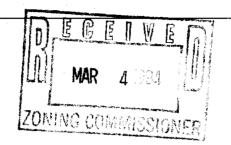
President

cc: file



Lile





# Robert R. Wilson & Associates, Inc.

P.O. Box 833 2408 Rocks Road Forest Hill, MD 21050

Phone (410) 893-3700 Fax (410) 836-5375

February 23, 1994

Mr. Timothy M. Kotroco Deputy Zoning Commissioner Suite 113 Courthouse 400 Washington Avenue Towson, Maryland 21204

Re: Zoning Case #93-289-SPH; Land of Richard W. Henning, et al

Dear Mr. Kotroco,

In response to your request, I am writing to you for an extension of the deadline to record the minor subdivision plat for the above noted project.

Our firm is in the process of co-ordinating the subdivision approval with the concerned Baltimore County Agencies and will complete the project as timely and efficiently as possible.

We feel an extension until June 30, 1994 would allow sufficient time to record the subdivision plat.

Should you have any questions, please give me a call at (410) 893-3700.

Your co-operation in this matter is greatly appreciated.

Thanyk you,

Robert R. Wilson

President

cc: file

Grantel 1 3/4/04

10: MJK 10: 13/44 UCR 8 at cashin

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555 Facsimile: (410) 527-1563

October 11, 1994

Mr. Arnold Jablon, Director Office of Zoning Administration and Development Management Baltimore County Courts Office 401 Bosley Avenue Towson, Maryland 21204

Re: 0.5 Acres; Located North Side of West Liberty and Harris Mill Roads D-7; TA #07-16-60055

Dear Mr. Jablon:

We are writing to request an opinion from your office regarding the above listed property. Currently, we are representing the owner of the property who wishes to develop the lot for a single family dwelling. The property is constricted by spatial setback requirements from existing septic systems, property lines, and floodplains to the proposed dwelling, well, and septic areas.

Our client has contacted the adjacent land owner to the north and has made arrangements to purchase "Parcel A" of the Gorsuch Hills subdivision to utilize it for placement of the well to support a dwelling on his lot.

The Gorsuch Hills subdivision was previously the subject of Special Hearing Case #93-289-SPH which designated "Parcel A" as a non-density parcel. We therefore would request an opinion from your office regarding the utilization of "Parcel A" to support a well site for a dwelling on our client's property, and any implications the Zoning Hearing would have on that use.

We also are requesting an opinion on property line setback requirements for the dwelling on this lot. The lot was previously improved by a general store and a mill, of which one's foundation remains along the property lines on West Liberty Road and the property of Norman and Robyn Anderson. Current setback regulations, if enforced, would render the site unbuildable without a variance. The property has been held intact since 1958 and may possibly be subject to previous property line setbacks.

Letter to Mr. Arnold Jablon

Re: 0.5 Acres; Located North Side of

West Liberty and Harris Mill Roads

D-7; TA #07-16-60055

October 11, 1994 Page Two

We have enclosed the following for your review, a current tax map, an approved Minor Subdivision Plat of Gorsuch Hills, a copy of the Special hearing Order for Case #93-289-SPH, topography showing the existing conditions found on-site, the original deed dated 1958 which created the lot, and the required \$40.00 fee. We have also enclosed a copy of an article from a February, 1953 Baltimore Sun Magazine documenting the previous structures existence.

We appreciate your consideration in matter and look forward to hearing from you in the near future.

Very truly yours,

McKEE & ASSOCIATES, INC.

Guy C. Ward, R.S.

GCW:ajw Enclosures



In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.

October 18, 1994

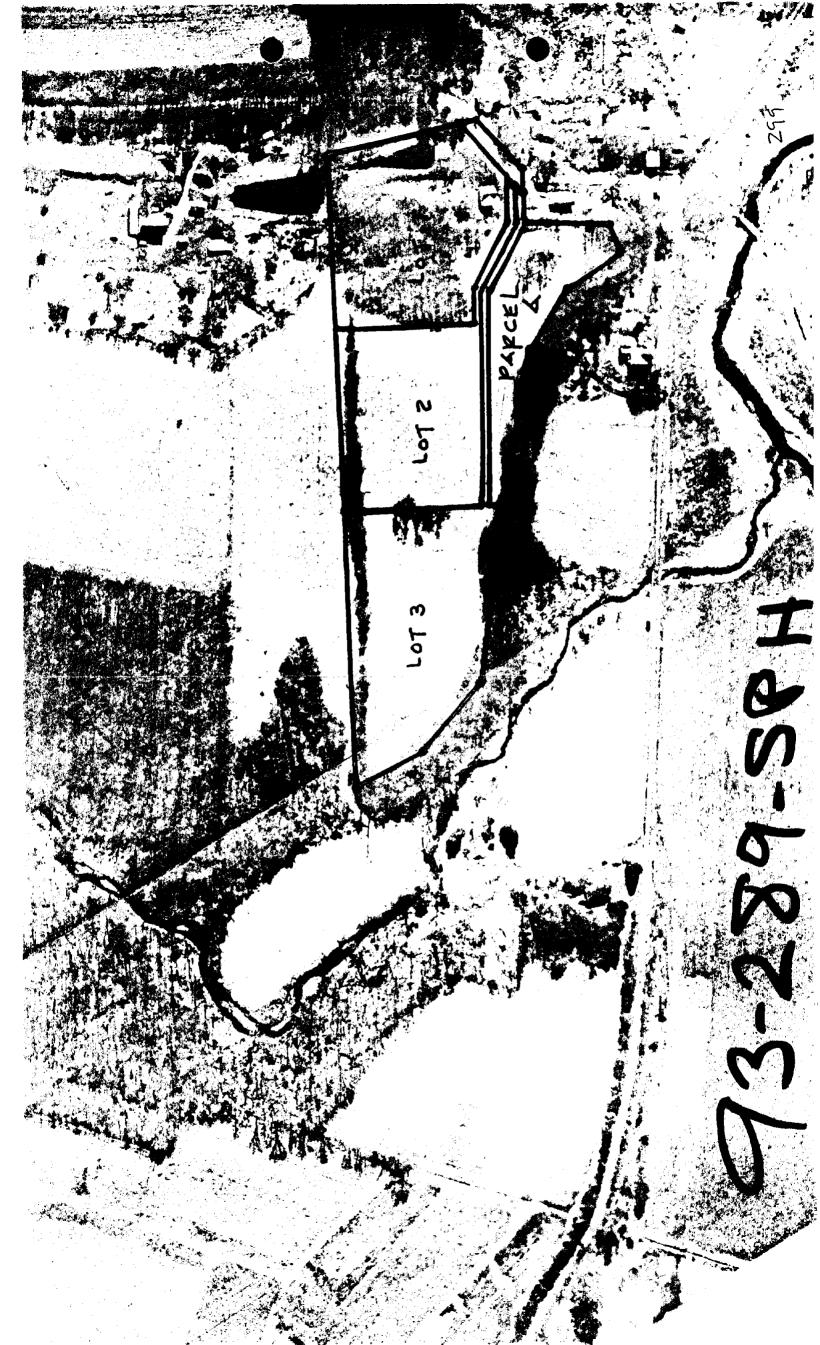
Dear Mr. Ward:

Please be advised that your proposal would require a special hearing to amend zoning case #93-289-SPH since the function of "Parcel A" will be different from what the hearing granted. Secondly, a variance will be required since the proposed building is being established from commercial to residential use with nonconforming setbacks.

Mitchell J. Kellman

Planner II

~ N	BALTIMOR DEPARTMENT OF PERM	TION FOR PERMIT E COUNTY MARYLAND	DATE:	1/10/98
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INSPECTOR:	APPLICANT INF	ORMATION /	HA'	VE SPRINKLERS
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### Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

May 25, 1993

Messrs. Richard W. Henning and David W. Henning 21308 West Liberty Road Parkton, Maryland 21120

RE: PETITION FOR SPECIAL HEARING

W/S West Liberty Road, 338' NE of the c/l of Harris Mill Road (21304, 21306, 21306-A and 21308 W. Liberty Road)
7th Election District - 3rd Councilmanic District
Richard W. Henning, et al -Petitioners
Case No. 93-289-SPH

Dear Messrs. Henning:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: Mr. Robert R. Wilson
2341 Churchville Road, Churchville, Md. 21028

Ms. Dorothy D. Cromwell 2512 Harris Mill Road, Parkton, Md. 21120

People's Counsel

File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore Cou	inty
The undersigned, legal owner(s) of the property situ described in the description and plat attached hereto and no Special Hearing under Section 500.7 of the Baltimore County ther or not the Zoning Commissioner and/or Deputy Zoning To subdivide a RC-4 parcel with a grant control of the subdivide a RC-4 parcel with a grant control of the property situation and plat attached hereto and not seem to be property situation and plat attached hereto and not seem to be property situation and plat attached hereto and not seem to be property situation and plat attached hereto and not seem to be property situation and plat attached hereto and not seem to be property situation and plat attached hereto and not seem to be property situation and plat attached hereto and not seem to be property situation and plat attached hereto and not seem to be property situation and plat attached hereto and seem to be property situation and seem to be property si	nade a part hereof, hereby petition for a y Zoning Regulations, to determine where Commissioner should approve
6 acres into more than 2 parcels an	d to create two
non-density parcels less than 1 acr	e in RC-2 zone
Property is to be posted and advertised as prescribe  I, or we, agree to pay expenses of the above Special Heating of this Petition, and further agree to and are to be bound tions of Baltimore County adopted pursuant to the Zoning L	aring advertising, posting, etc., upon filed by the zoning regulations and restrict
ar	I/We do solemnly declare and affirm, der the penalties of perjury, that I/we the legal owner(s) of the property ich is the subject of this Petition.

Contract Purchaser/Lessee:	Legal Owner(s):
	Richard W. Henning
(Type or Print Name)	(Type or Print Name)
**********	Richard W/Lein Mit
Signature	Signature
	David W. Henning
Address	(Type or Print Name)
	Main Genning 14
City and State	Signature
Attorney for Petitioner:	
	21308 West Liberty Road
(Type or Print Name)	Address Phone No.
	Parkton, Md. 21120
Signature	City and State
	Name, address and phone number of legal owner, con-
Address	tract purchaser or representative to be contacted
	Robert R. Wilson
City and State	Name
Attorney's Telephone No.:	2841 Churchville Road 879-5505
	Address Phone No.
	churchville, Md. 21028 OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING -1/2HR. +1HR
	* * * * AVAILABLE FOR HEARING

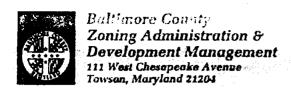
# ZONING DESCRIPTION FOR 21304 WEST LIBERTY ROAD

Beginning at a point on or near the centerline of West Liberty Road which is sixty (60') wide at the distance of 338 feet northeast of the centerline of the nearest improved intersecting street, Harris Mill Road, which is sixty (60') wide. Being all of that parcel of land which by a deed dated August 4, 1982 and recorded among the Land Records of Baltimore County in Liber No. 6421 folio 814 was granted and conveyed by Albert B. Little and Shirley J. Little, his wife, to Norman W. Anderson and Robyn G. Anderson, his wife, and running thence;

- 1) North 55 degrees 43 minutes 45 seconds West, 108.00 feet;
- 2) South 38 degrees 02 minutes 46 seconds West, 127.50 feet:
- 3) South 55 degrees 38 minutes 45 seconds East, 93.35 feet;
- 4) North 44 degrees 31 minutes 43 seconds East, 129.43 feet to the point of beginning.

CONTAINING 0.29 ACRES OF LAND, MORE OR LESS. Also Known as 21304 West Liberty Road and located in the Seventh Election District.





Deta

93-287-SPA [GCO][pt

Account: R-001-6150

Number

3/03/93

H9300297

PUBLIC HEARING FEES

orv.

PRICE

040 -SPECIAL HEARING (OTHER)

1250.00

TOTAL:

\$250,00

LAST MAME OF OWNER: HEHNING

03A03#0193HICHRC

\$250.00

Please Make Checks Payable To: Baltimore County

Cashler Validation